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**IN THE UNITED STATES DISTRICT COURT**

**DISTRICT OF UTAH, CENTRAL DIVISION**

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**PURPLE INNOVATION, LLC, A  
Delaware limited liability company,**

**Plaintiff,**

**v.**

**HONEST REVIEWS, LLC, a Florida  
Corporation, RYAN MONAHAN, an  
individual, and GHOSTBED, a  
Delaware corporation,**

**Defendants.**

***EX PARTE* MOTION TO FILE UNDER  
SEAL – OPPOSITION TO DEFENDANT  
GHOSTBED, INC.’S MOTION TO  
DISMISS THE FIRST AMENDED  
COMPLAINT**

**Case No.: 2:17-cv-00138-DB**

**Honorable Dee Benson**

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Pursuant to DUCivR 5-2, Plaintiff Purple Innovation, LLC (“Plaintiff” or “Purple”), by and through its counsel of record MAGLEBY CATAXINOS & GREENWOOD, hereby moves the Court for leave to file under seal its Opposition to Defendant GhostBed, Inc.’s Motion to Dismiss the First Amended Complaint (the “Opposition”).

DUCivR 5-2(a) provides that “[o]n motion of a party and a showing of good cause, a judge may order a . . . document filed in a civil case to be sealed.” In this

matter, good cause exists to seal Plaintiff's Opposition. The Opposition and its exhibits contain information that is highly confidential, including many documents that GhostBed has designated CONFIDENTIAL INFORMATION – ATTORNEYS EYES ONLY, under the Standard Protective Order. To honor GhostBed's designations, and to maintain the confidentiality of such documents, the Opposition should be filed under seal.

A proposed order is attached and emailed to chambers.

Pursuant to DUCivR 5-2(e)(3), counsel certifies that the Opposition and the exhibits are entitled to protection under the terms of the Standard Protective Order. Counsel further certifies that the Opposition contains such an abundance of confidential information that filing a redacted version would not be meaningful.

DATED this 8th day of May, 2017.

**MAGLEBY CATAXINOS & GREENWOOD**



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Christine T. Greenwood

Adam Alba

*Attorneys for Plaintiff Purple Innovation, LLC*

### CERTIFICATE OF SERVICE

I hereby certify that I am employed by the law firm of MAGLEBY CATAXINOS & GREENWOOD, 170 South Main Street, Suite 1100, Salt Lake City, Utah 84101, and that, pursuant to Rule 5 of the Federal Rules of Civil Procedure, I served a true and correct copy of the foregoing **EX PARTE MOTION TO FILE UNDER SEAL – OPPOSITION TO DEFENDANT GHOSTBED, INC.’S MOTION TO DISMISS THE FIRST AMENDED COMPLAINT** upon the following via ECF and/or electronic mail this 8th day of May, 2017:

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Handwritten signature of Janet Kidd in blue ink, written over a horizontal line.